

tacopina seigel trial lawyers

TACOPINA SEIGEL & DEOREO

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February 1, 2022

Hon. John P. Cronan
U.S. District Judge
Southern District of New York
500 Pearl Street, Room 1320
New York, NY 10007

Re: Wonzer v. Hernandez, 1:20-cv-10836 (S.D.N.Y.)

Dear Judge Cronan:

I am counsel for Plaintiffs in the above-referenced action and respectfully submit this letter motion pursuant to Your Honor's Individual Rules and Practices with regard to Plaintiffs' inquest submissions that are due on February 11, 2022. Specifically, pursuant to Rule 4, we respectfully request that the parties be granted leave to file certain papers under seal. Defendant has consented to this request.

First, we request that the parties be permitted to file Plaintiffs' medical records under seal. *See Gutierrez v. Dubois*, No. 20 CIV. 2079 (PGG), 2020 WL 3072242, at *10 (S.D.N.Y. June 10, 2020) ("Respondents have moved to file under seal Petitioner's medical records. These records are judicial documents because they are relevant to whether Petitioner has a serious medical need. Accordingly, they are subject to a presumption of access. This presumption of access is outweighed here by Petitioner's considerable privacy interest in his sensitive medical information, however. The motion to seal will therefore be granted.") (quotations and citations omitted); *United States v. Madoff*, 465 F. Supp. 3d 343, 352 (S.D.N.Y. 2020) ("His motion to seal medical records submitted as Exhibit D, made by counsel's letter dated February 5, 2020 (Doc. 213), is GRANTED."); *Tardif v. City of New York*, 344 F. Supp. 3d 579, 611 (S.D.N.Y. 2018) ("Tardif's motion to seal her medical records (ECF No. 219) is GRANTED.").

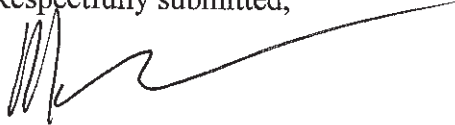
Second, we request that the parties be permitted to file tax returns and bank statements of Defendant and his companies under seal. *See Sec. & Exch. Comm'n v. Payton*, No. 14 CIV. 4644, 2016 WL 3023151, at *1 (S.D.N.Y. May 16, 2016) ("The defendants, also at the Court's direction,

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submitted in formation [sic] on the irfinances [sic]: Mr. Payton provideda [sic] financial statement, and Mr. Durant provided his 2015 tax return. These submissions will be docketed under seal.”); *Adams v. New York State Educ. Dep’t*, 959 F. Supp. 2d 517, 519 (S.D.N.Y. 2013)(“The Court then ordered Penkovsky to file documents under seal, including prior federal and state tax returns, for the Court to evaluate his ability to pay the Sanction.”).

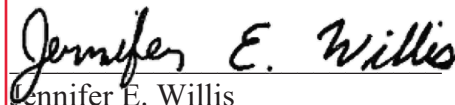
Respectfully submitted,



Matthew G. DeOreo

cc: All Counsel by ECF

Letter Motion GRANTED. The parties are granted leave to file certain papers under seal. SO ORDERED.



Jennifer E. Willis
United States Magistrate Judge
February 9, 2022